with certain limitations. With regard to finished parts (inner race, outer race, cage, rollers, balls, seals, shields, etc.), all such parts are included in the scope of this review. For unfinished parts (inner race, outer race, rollers, balls, etc.), such parts are included if (1) they have been heat treated, or (2) heat treatment is not required to be performed on the part. Thus, the only unfinished parts that are not covered by this review are those which will be subject to heat treatment after importation.

[FR Doc. 95–19258 Filed 8–3–95; 8:45 am]

BILLING CODE 3510–DS–P

[C–201–003]

Ceramic Tile From Mexico; Final Results of Countervailing Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of Final Results of Countervailing Duty Administrative Review.

SUMMARY: On May 18, 1995, the Department of Commerce (the Department) published in the **Federal Register** its preliminary results of administrative review of the countervailing duty order on ceramic tile from Mexico (60 FR 267177) for the period January 1, 1993 through December 31, 1993. We have now completed this review and determine the total bounty or grant to be 0.48 percent *ad valorem* for all companies. In accordance with 19 CFR 355.7, any rate less than 0.5 percent *ad valorem* is *de minimis*. We will instruct the U.S. Customs Service to assess countervailing assess countervailing duties as indicated above.

EFFECTIVE DATE: August 4, 1995.

FOR FURTHER INFORMATION CONTACT: Gayle Longest or Kelly Parkhill, Office of Countervailing Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482–2786.

SUPPLEMENTARY INFORMATION:

Background

On May 18, 1995, the Depar**Federal Register** (60 FR 26717) the preliminary results of its administrative review of the countervailing duty order on ceramic tile from Mexico (47 FR 20012; May 10, 1982). The Department has now completed this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

We invited interested parties to comment on the preliminary results. On June 19, 1995, a case brief was submitted by Ceramica Regiomontana, S.A., a producer of the subject merchandise which exported ceramic tile to the United States during the review period (respondent).

The review period is January 1, 1993, through December 31, 1993. This review involves 40 companies and the following programs:

(1) BANCOMEXT Financing for Exporters;

(2) The Program for Temporary Importation of Products used in the Production of Exports (PITEX);

(3) NAFINSA Long-Term Loans

(4) Other BANCOMEXT preferential financing;

(5) Other Dollar-Denominated Financing Programs;

(6) Fiscal Promotion Certificates (CEPROFI);

(7) Import duty reductions and exemptions;

(8) State tax incentives;

(9) Article 15 Loans;

(10) NAFINSA FONEI-type financing; and

(11) NAFINSA FOGAIN-type financing.

Applicable Statute and Regulations

The Department is conducting this administrative review in accordance with section 751(a) of the Act. Unless otherwise indicated, all citations to the statute and to the Department's regulations are in reference to the provisions as they existed on December 31, 1994.

Scope of Review

Imports covered by this review are shipments of Mexican ceramic tile, including non-mosaic, glazed, and unglazed ceramic floor and wall tile. During the review period, such merchandise was classifiable under the *Harmonized Tariff Schedule* (HTS) item numbers 6907.10.0000, 6907.90.0000, 6908.10.0000, and 6908.90.0000. The HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

Calculation Methodology for Assessment and Cash Deposit Purposes

We calculated the total bounty or grant on a country-wide basis by first calculating the bounty or grant for each company subject to the administrative review. We then weight-averaged the rate received by each company, even those with *de minimis* and zero rates, using as the weight its share of total Mexican exports to the United States of subject merchandise. We then summed the individual companies' weighted-average rates to determine the bounty or grant from all programs benefitting exports of subject merchandise to the United States. Since the country-wide rate calculated using this methodology was *de minimis*, as defined by 19 CFR § 355.7, no further calculations were necessary.

Analysis of Comments

Comment 1: As in past reviews, Ceramica Regiomontana contends that the Department does not have the legal authority to assess countervailing duties on ceramic tile from Mexico and must terminate the review. Effective April 23, 1985, the date of the ''Understanding Between the United States and Mexico regarding Subsidies and Countervailing Duties'' (the Understanding), Mexico became a ''country under the Agreement.'' Therefore, Ceramica Regiomontana argues that 19 U.S.C. 1671 requires an affirmative injury determination as a prerequisite to the imposition of countervailing duties on any Mexican merchandise imported on or after April 23, 1985. Furthermore, Ceramica Regiomontana argues that the only applicable statutory authority for this review would be 19 U.S.C. 1303; however, because Mexico became a country under the Agreement, the provisions of section 1303 could no longer apply. Therefore, Ceramica Regiomontana maintains the Department has no authority to conduct this review and the review should be terminated.

Department's Position: We fully addressed this issue in a previous administrative review of this countervailing duty order. *See Ceramic Tile from Mexico; Final Results of Countervailing Duty Administrative Review* (55 FR 50744; December 10, 1990). The CIT and the U.S. Court of Appeals for the Federal Circuit (Federal Circuit) have sustained the Department's legal position that Mexican imports subject to an outstanding countervailing duty order already in effect when Mexico entered into the Understanding are not entitled to an injury test pursuant to section 701 of the Act and paragraph 5 of the Understanding (*Ceramica Regiomontana, S.A., et. al v. United States,* Slip Op. 96–78, Court No. 89–06–00323 (May 5, 1994) (*Ceramica Regiomontana''*); *Cementos Anajuac del Golfo, S.A. v. U.S.,* 879 F.2d 847 (Fed. Cir. 1989), cert. denied, 110 S.CT. 1318 (1989)). The countervailing duty order on ceramic tile from Mexico was published prior to Mexico's entering into the Understanding and, therefore, imports of ceramic tile are not entitled

to an injury test pursuant to section 701 of the Act.

Comment 2: As in past administrative reviews, Ceramica Regiomontana contends that the Department incorrectly treated the benefit from the PITEX program as a grant. According to Ceramica Regiomontana, PITEX benefits should be calculated as interest-free loans similar to the Department's treatment of loan duty deferrals under a Peruvian program in *Cotton Sheeting and Sateen from Peru; Final Results of Administrative Review of Countervailing Duty Order* (49 FR 34542).

Ceramica Regiomontana contends that the Department provides no legal justification for refusing to treat PITEX as an interest-free loan rather than a grant in *Certain Textile Mill Products from Mexico; Final Results of Countervailing Duty Administrative Review* (56 FR 50858). Furthermore, Ceramica Regiomontana argues that the Department bases its refusal to calculate PITEX as an interest-free loan on the difficulty of doing the calculation. Ceramica Regiomontana maintains that although there is no certainty whether a company will ultimately be exempt from payment of all or a portion of the duty, the deferral should be treated as a loan rather than a grant in accordance with legal requirements.

Department's Position: We fully addressed this issue in the previous administrative review of this case. *See Ceramic Tile from Mexico; Final Results of Countervailing Duty Administrative Review* (60 FR 19022; April 14, 1995). We stated that, under PITEX, an exporter may temporarily import machinery for five years. At the end of five years, the exporter can renew the temporary stay on an annual basis indefinitely. Since payment of import duties upon conversion to permanent import status is based on the depreciated value of the equipment at the time it is converted to permanent import status, the exporter can on an annual basis continue the temporary import status after the initial five year period until the depreciated value of the equipment is zero and no import duties are owed. Therefore, duty exemptions under PITEX are properly treated as grants, and we expensed them in full at the time of importation, when the exporters otherwise would have paid duties on the imported machinery. Id.; *Final Negative Countervailing Duty Determination; Silicon Metal From Brazil* (56 FR 26988). Ceramica Regiomontana has presented us with no new evidence or arguments on this issue.

Comment 3: Ceramica Regiomontana argues that the calculation of the PITEX net subsidy is incorrect because the Department improperly divided the PITEX benefit by each company's total exports. Ceramica Regiomontana contends that, since the machinery imported under the PITEX program may be used to produce products for both the export and domestic markets, the benefits from the program should be divided by total sales rather than by total exports. Furthermore, Ceramica Regiomontana argues that the program does not limit the use of imported machinery to production for export products only. According to Ceramica Regiomontana, machinery imported by the company is used for production of merchandise for both export and domestic markets.

Ceramica Regiomontana claims that the Department's allocation method in PITEX is incorrect because it does not measure the benefit of the subsidy to the recipient and the proper method of allocation would be based on total sales.

Department's Position: We disagree. In order to meet the eligibility criteria for the PITEX program, a company is required to have a proven export record, and to use the imported merchandise (both raw materials and equipment) in the production of goods for export. Since receipt of benefits under PITEX is tied to the company's exports, thereby making the program an export subsidy, the proper basis for allocation of these benefits is total exports, as opposed to total sales. *See Certain Textile Mill Products from Mexico; Final Results of Countervailing Duty Administrative Review* (56 FR 12175, 12178; March 22, 1991).

Final Results of Review

As a result of our review, we determine the total bounty or grant to be 0.48 percent *ad valorem* for all companies. In accordance with 19 CFR § 355.7, any rate less than 0.5 percent *ad valorem* is *de minimis.*

Therefore, the Department will instruct the Customs Service to liquidate, without regard to countervailing duties, shipments of this merchandise from all companies on or after January 1, 1993, and on or before December 31, 1993.

The Department will instruct the Customs Service to collect cash deposits of estimated countervailing duties at a zero rate, as provided by section 751(a)(1) of the Act, on shipments of this merchandise from all companies entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice. This deposit requirement shall remain in effect until publication of the final results of the next administrative review.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)), 19 CFR § 355.22 and 19 CFR 355.25.

Dated: July 28, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 95–19253 Filed 8–3–95; 8:45 am]

BILLING CODE 3510–DS–P

[(C–428–812)]

Certain Lead and Bismuth Carbon Steel Products From Germany; Termination of Countervailing Duty Administrative Review

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of Termination of Countervailing Duty Administration Review (01/01/94–12/31/94).

SUMMARY: The Department of Commerce (the Department) is terminating the countervailing administrative review of certain hot-rolled lead and bismuth carbon steel products from Germany initiated on April 14, 1995 (60 FR 19017).

EFFECTIVE DATE: August 4, 1995.

FOR FURTHER INFORMATION CONTACT: Russell Morris or Robert Copyak, Office of Countervailing Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482–2786.

SUPPLEMENTARY INFORMATION: On March 7, 1995, the Department published in the **Federal Register** (60 FR 12540) a notice of ''Opportunity to Request Administrative Review'' on the countervailing duty order (58 FR 15325; March 22, 1993) on certain lead and bismuth carbon steel products from Germany for the period January 1, 1994 through December 31, 1994. On March 31, 1995, Inland Steel Bar Co. and USS/Kobe Steel Co., domestic producers, requested an administrative review of the subject countervailing duty order. No other interested party requested the review.

On April 14, 1995, the Department published a notice of initiation of a review of the order (60 FR 19017). On May 31, 1995, Inland Steel Bar Co. and USS/Kobe Steel Co. withdrew their requests for an administrative review. Because the requests for withdrawal were timely pursuant to 19 CFR 355.22(a)(3), the Department is terminating this review.